

1 Robert W. Boatman (009619) - [rwb@gknet.com](mailto:rwb@gknet.com)

Paul L. Stoller (016773) - [paul.stoller@gknet.com](mailto:paul.stoller@gknet.com)

2 Shannon L. Clark (019708) - [SLC@gknet.com](mailto:SLC@gknet.com)

Gallagher & Kennedy, P.A.

3 2575 East Camelback Road

Phoenix, Arizona 85016-9225

4 602-530-8000

5 Ramon Rossi Lopez - [rlopez@lopezmchugh.com](mailto:rlopez@lopezmchugh.com)

(California Bar Number 86361; admitted *pro hac vice*)

6 Lopez McHugh LLP

100 Bayview Circle, Suite 5600

7 Newport Beach, California 92660

949-812-5771

8 *Attorneys for Plaintiffs*

9  
10 IN THE UNITED STATES DISTRICT COURT

11 FOR THE DISTRICT OF ARIZONA

12 In Re Bard IVC Filters Products Liability  
Litigation

No. MD-15-02641-PHX-DGC

13 **PLAINTIFFS' UNOPPOSED  
MOTION TO SEAL**

14  
15 Plaintiffs move this Court for an Order pursuant to the Stipulated Protective Order  
16 (Doc. 268), Federal Rule of Civil Procedure 26(c)(1)(G), and Local Civil Rule 5.6, sealing  
17 certain documents accompanying Plaintiffs' Response to Bard's Motion for Protective Order  
18 Regarding Discovery of Litigation Consultant's Report ("Response"). The exhibits that are  
19 the subject of this Motion to Seal are alleged by Bard to constitute trade secrets or other  
20 confidential research, development, or commercial information and have been designated by  
21 Bard as such pursuant to the Stipulated Protective Order, thereby warranting protection from  
22 public disclosure for discovery related motion.

1 Plaintiffs are seeking leave to file these documents under seal based on Bard's  
2 designation of them as confidential pursuant to the Stipulated Protective Order; Plaintiffs  
3 explicitly reserve their rights to challenge the confidentiality designations of the documents at  
4 a later time, pursuant to the terms in the Stipulated Protective Order. Based on Bard's  
5 designation of the documents as confidential, Plaintiffs may only submit them to this Court  
6 under seal. Bard does not oppose this Motion.

7 The documents that are the subject of this Motion are described in Exhibit A.

8 This request is in line with this Court's prior Order (Doc. 318) Granting Bard's Motion  
9 for Protective Order (Doc. 307) for the filing of related documents for purposes of briefing  
10 the Lehmann issue.

11 For the foregoing reasons, and in order that Plaintiffs can fully respond to Bard's  
12 Motion for Protective Order while complying with the terms of various protective orders, the  
13 Court should grant Plaintiffs' Unopposed Motion to Seal.

14 RESPECTFULLY SUBMITTED this 17<sup>th</sup> day of December, 2015.

15 GALLAGHER & KENNEDY, P.A.

16 By: /s/Robert W. Boatman

Robert W. Boatman

Paul L. Stoller

Shannon L. Clark

2575 East Camelback Road

Phoenix, Arizona 85016-9225

19 LOPEZ McHUGH LLP

Ramon Rossi Lopez (CA Bar No. 86361)

(admitted *pro hac vice*)

100 Bayview Circle, Suite 5600

Newport Beach, California 92660

22 *Attorneys for Plaintiffs*

1 I hereby certify that on this 17<sup>th</sup> day of December, 2015, I electronically transmitted  
2 the attached document to the Clerk's Office using the CM/ECF System for filing and  
3 transmittal of a Notice of Electronic Filing.

4 /s/Mary E. Torrez

5 5170596